

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA and  
THE STATE OF MICHIGAN, *ex rel.*  
AMBER WEST,

Plaintiffs,

Case No. 1:11-cv-1051

v.

Hon. Paul L. Maloney,  
Chief United States District Judge

LAKESHORE HOME HEALTH CARE, INC.,  
*et al.*,

Defendants.

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**ORDER DISMISSING DOUGLAS R. MIENK, M.D.**

Pursuant to the Joint Stipulation Dismissing Douglas R. Mienk, M.D. (the “Joint Stipulation”), it is

HEREBY ORDERED that as to the United States, Defendant Douglas R. Mienk, M.D., is dismissed from this action, with prejudice and subject to the terms of the Settlement Agreement attached as Exhibit A to the Joint Stipulation (the “Settlement Agreement”);

IT IS FURTHER ORDERED that Defendant is dismissed from this action without prejudice as to the State of Michigan; and

IT IS FURTHER ORDERED that Defendant is dismissed from this action (1) with prejudice, subject to the terms of the Settlement Agreement, as to any civil monetary claim Relator Amber West has on behalf of the United States under the False Claims Act, 31 U.S.C. § 3729, *et seq.*; and (2) without prejudice as to any civil monetary claim Relator has on behalf of the State of Michigan under the Michigan Medicaid False Claims Act, Mich. Comp. Laws § 400.601, *et seq.*

In consideration for these dismissals, Defendant shall make himself available as necessary to testify at deposition and at trial.

**IT IS SO ORDERED.**

DATED: June 17, 2014

/s/ Paul L. Maloney  
Hon. Paul L. Maloney  
Chief United States District Judge